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QUEST DIAGNOSTICS INCORPORATED AND QUEST DIAGNOSTICS CLINICAL LABORATORIES, INC.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

DENETTE WILL, an individual,
Plaintiff,

VS.

QUEST DIAGNOSTICS
INCORPORATED, doing business
in California as QUEST
DIAGNOSTICS INCORPORATED
OF NEVADA, a Nevada
Corporation; QUEST
DIAGNOSTICS CLINICAL
LABORATORIES, INC., a
Delaware Corporation; and DOES 1
through 30

Defendants.

Case No.: 2:22-CV-00454-KJM-DB
Judge: Hon. Kimberly J. Mueller
Complaint Filed: January 19, 2022

**JOINT STIPULATION TO CONTINUE
SETTLEMENT CONFERENCE AND
PRE-TRIAL DATES**

1 **TO THE UNITED STATES DISTRICT COURT FOR THE EASTERN
2 DISTRICT OF CALIFORNIA AND ALL PARTIES OF RECORD:**

3 Plaintiff STEPHANIE DENETTE WILL (“Plaintiff”) and Defendant
4 QUEST DIAGNOSTICS INCORPORATED, doing business in California as
5 QUEST DIAGNOSTICS INCORPORATED OF NEVADA, a Nevada
6 Corporation; QUEST DIAGNOSTICS CLINICAL LABORATORIES, INC.
7 (“Defendant”), (collectively referred to as “the Parties”), through counsel, hereby
8 enter into the following Stipulation and request the Court to extend trial and
9 pretrial discovery deadlines, pursuant to the applicable Local Rules:

10 **WHEREAS**, Plaintiff, under former counsel, filed her Complaint in the
11 Superior Court for the State of California, County of Sacramento on January 19,
12 2022;

13 **WHEREAS**, on March 10, 2022, Defendant timely removed this action to
14 the above-captioned Court;

15 **WHEREAS**, on January 18, 2023 a pre-settlement conference was
16 continued to April 5, 2023;

17 **WHEREAS**, on January 18, 2023 a settlement conference was continued to
18 April 12, 2023;

19 **WHEREAS**, on March 15, 2023, Plaintiff’s current counsel (Brock &
20 Gonzales, LLP) substituted in as counsel, thereby replacing, Gay Carroll-Haring as
21 counsel;

22 **WHEREAS**, on August 26, 2022 the court set the following pre-trial dates:

- 23 • Fact Discovery Cut-Off: June 7, 2023;
24 • Expert Witness Disclosure Deadline: July 6, 2023;
25 • Rebuttal Expert Witness Disclosure Deadline: August 7, 2023;
26 • Expert Discovery Cut-Off: September 22, 2023; and
27 • Dispositive Motion Hearing Deadline: October 6, 2023.

1 **WHEREAS**, Plaintiff's current counsel's substitution was unexpected and
2 necessitated by former counsel's medical condition;

3 **WHEREAS**, as Plaintiff's current counsel continues to become familiar
4 with the case, the Parties need additional time to ensure that sufficient discovery is
5 completed in advance of trial;

6 **WHEREAS**, the Parties have agreed to private mediation and are engaged
7 in the process of identifying a mediator; and

8 **WHEREAS**, good cause exists to postpone the pre-settlement and
9 settlement conference because further litigation may be unnecessary if the parties
10 are able to complete necessary discovery and resolve the matter at private
11 mediation.

12 **NOW, THEREFORE**, the Parties, by and through their respective counsel
13 of record, **AGREE AND HEREBY STIPULATE** that good cause exists to
14 modify the Scheduling Order as follows:

15 Pre-Settlement Conference is moved from April 5, 2023 to May 22, 2023, or
16 to a date thereafter that is convenient for the Court and to the Magistrate Judge
17 Deborah Barnes assigned as settlement officer in this case.

18 Settlement Conference is moved from April 12, 2023 to May 30, 2023, or to
19 a date thereafter that is convenient for the Court and to the Magistrate Judge
20 Deborah Barnes assigned as settlement officer in this case.

21 Pre-trial dates are moved approximately four-months from the date of this
22 stipulation, as follows:

- 23 • Fact Discovery Cut-Off: From June 7, 2023 to October 9, 2023;
- 24 • Expert Witness Disclosure Deadline: From July 6, 2023 to November
25 6, 2023;
- 26 • Rebuttal Expert Witness Disclosure Deadline: From August 7, 2023
27 to December 7, 2023;

- 1 • Expert Discovery Cut-Off: From September 22, 2023 to January 22,
2 2024; and
3 • Dispositive Motion Hearing Deadline: From October 6, 2023 to
4 February 6, 2024.

5
6 **IT IS SO STIPULATED.**

7
8 DATED: March 30, 2023

9 EPSTEIN BECKER & GREEN, P.C.

10
11 */s/ Jonathan M. Brenner*

12 By: _____

13 Jonathan M. Brenner

14 Alexandria M. Ordway

15 Attorneys for Defendant

16
17 DATED: March 30, 2023

18 BROCK & GONZALES, LLP

19 */s/ Paul H. Hirsch*

20 By: _____

21 D. AARON BROCK

22 CHRISTOPHER P. BRANDES

23 PAUL H. HIRSCH

24 Attorneys for Plaintiff



1 **IT IS SO ORDERED AS MODIFIED:**

- 2 1. The Pre-Settlement Conference call is moved from April 5, 2023 to
3 June 20, 2023 at 2:00 p.m. before Magistrate Judge Jeremy D. Peterson.
4
5 The Settlement Conference is moved from April 12, 2023 to June 27, 2023
6 at 10:00 a.m. before Magistrate Judge Jeremy D. Peterson in courtroom 9,
7 13th floor. The confidential settlement conference statements shall be due
8 to Magistrate Judge Jeremy D. Peterson's chambers at least 10 court days
9 in advance of the continued settlement conference date.
10
11 2. Pre-trial dates are moved approximately four-months from the date of this
12 stipulation, as follows:
13
14 • Fact Discovery Cut-Off: From June 7, 2023 to October 9, 2023;
15
16 • Expert Witness Disclosure Deadline: From July 6, 2023 to
17 November 6, 2023;
18
19 • Rebuttal Expert Witness Disclosure Deadline: From August 7, 2023
20 to December 7, 2023;
21
22 • Expert Discovery Cut-Off: From September 22, 2023 to January 22,
23 2024; and
24
25 • Dispositive Motion Hearing Deadline: From October 6, 2023 to
26 February 16, 2024.

27 Dated: March 30, 2023.

28 
CHIEF UNITED STATES DISTRICT JUDGE